

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

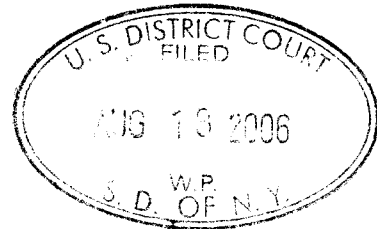
- v. -

CHRISTOPHER HUGHES,
a/k/a "Fats,"

Defendant.

SUPERSEDING INFORMATION

S5 06 Cr. 122 (SCR)(mdf)

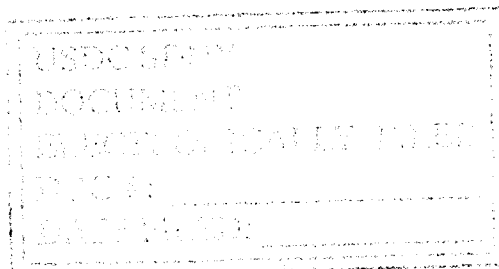


COUNT ONE

The United States Attorney charges:

1. From at least in or about May 2005, up to and including in or about February 2006, in the Southern District of New York and elsewhere, CHRISTOPHER HUGHES, a/k/a "Fats," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly, did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that CHRISTOPHER HUGHES, a/k/a "Fats," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly, would and did distribute and possess with intent to distribute 50 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of Sections 812, 841(a)(1), and 841(b)(1)(A) of Title 21, United States Code.



Overt Act

3. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about January 6, 2006, in Newburgh, New York, CHRISTOPHER HUGHES, a/k/a "Fats," the defendant, sold a quantity of crack to a law enforcement officer who was acting in an undercover capacity.

(Title 21, United States Code, Section 846.)

COUNT TWO

The United States Attorney further charges:

4. From at least approximately 1999 up to and including in or about November 2002, in the Southern District of New York and elsewhere, CHRISTOPHER HUGHES, a/k/a "Fats," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly, did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

5. It was a part and an object of the conspiracy that CHRISTOPHER HUGHES, a/k/a "Fats," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly, would and did distribute and possess with intent to distribute 50 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation

of Sections 812, 841(a)(1), and 841(b)(1)(A) of Title 21, United States Code.

Overt Act

6. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. In or about March 2002, in the vicinity of 143 North Miller Street, Newburgh, New York, CHRISTOPHER HUGHES, a/k/a "Fats," the defendant, possessed a quantity of crack.

(Title 21, United States Code, Section 846.)

COUNT THREE

The United States Attorney further charges:

7. From at least in or about March 2005 up to and including in or about September 2005, in the Southern District of New York and elsewhere, CHRISTOPHER HUGHES, a/k/a "Fats," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly, did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

8. It was a part and an object of the conspiracy that CHRISTOPHER HUGHES, a/k/a "Fats," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly, would and did distribute and possess with intent to distribute 1 kilogram

and more of mixtures and substances containing a detectable amount of heroin, in violation of Sections 812, 841(a)(1), and 841(b)(1)(A) of Title 21, United States Code.

Overt Act

9. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. In or about April 2005, in the vicinity of St. Nicholas Avenue in New York, New York, CHRISTOPHER HUGHES, a/k/a "Fats," the defendant, sold a quantity of heroin.

(Title 21, United States Code, Section 846.)

COUNT FOUR

The United States Attorney further charges:

10. At least in or around March 2002, in the Southern District of New York, CHRISTOPHER HUGHES, a/k/a "Fats," the defendant, unlawfully, wilfully, and knowingly used and carried a firearm during and in relation to a drug trafficking crime, and in furtherance of such crime possessed a firearm, to wit, the narcotics conspiracy described in Count Two of this Information.

(Title 18, United States Code, Section 924(c)(1)(A)(I).)

FORFEITURE ALLEGATION

11. As a result of committing the controlled substance offenses alleged in Counts One through Three of this Information, CHRISTOPHER HUGHES, a/k/a "Fats," the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said narcotics violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the narcotics violations alleged in Counts One through Three of this Information.

Substitute Asset Provision

a. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

1. cannot be located upon the exercise of due diligence;
 2. has been transferred or sold to, or deposited with, a third person;
 3. has been placed beyond the jurisdiction of the Court;
 4. has been substantially diminished in value;
- or

5. has been commingled with other property which cannot be subdivided without difficulty; it is the intention of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property. (Title 21, United States Code, Sections 841(a)(1), 846 and 853.)

A handwritten signature in black ink, reading "Michael Garcia". The signature is written in a cursive style with a horizontal line underneath.

MICHAEL J. GARCIA *us*
United States Attorney